

App. Serial No.: 10/614,606
Atty. Docket No.: P-2415

REMARKS

These remarks are in response to the Office Action dated April 6, 2007, which has a shortened statutory period for response set to expire July 6, 2007. A three-month extension, to expire October 6, 2007, is requested in a petition filed herewith.

Claims

Claims 1-45 are pending in the above-identified application. Claims 1-45 are rejected. Claims 16-30 and 42 are amended. Claims 1-15, 31-41, and 43-45 remain as filed. Reconsideration is requested.

Rejection Under 35 U.S.C. §101

Claims 16-37 and 42-45 are rejected under 35 U.S.C. § 101 as being directed to nonstatutory subject matter. The Examiner writes (in part):

The claims cannot include transmitting the code on a network for remote execution (carrier wave or signal per se). This is a form of energy and does not appear to claim a physical article or object. Appropriate correction is required, and claim language with a limitation of machine readable storage medium as defined by the specification would overcome the rejection.

In view of the Examiner's suggestion, Claims 16-30 are amended herein to now recite an electronically readable storage medium. (emphasis added) Applicant respectfully asserts that Claims 16-30 are now directed to statutory subject matter and satisfy the requirements of 35 U.S.C. §101.

Original Claims 31-37 and 42-45 are also directed to statutory subject matter, because those claims are each directed to a computer readable storage medium, and not a carrier wave or a signal per se. For example, Claim 31 recites "[a] computer-readable medium having stored thereon ..." (emphasis added) Thus, the computer-readable medium is a storage medium. Claims 32-37 depend, either directly or indirectly, from Claim 31 and, therefore, include the same limitation. Similarly, Claim 42 recites "[a] computer-readable medium having stored thereon ..." (emphasis added) Claims 43-45 depend, either directly or indirectly from Claim 42 and, therefore, include the same limitation.

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For the foregoing reasons, Applicant respectfully requests reconsideration and withdrawal of the rejection of Claims 16-37 and 42-45 under 35 U.S.C. § 101.

Rejections Under 35 U.S.C. § 102

Claims 1, 2, 4, 5, 8-11, 14-17, 19-20, 23-26, 31-32, and 37-45 are rejected under 35 U.S.C. § 102 (e) as being anticipated by USPN 7,124,374 (Haken). The Examiner writes:

As per claim 1, Haken teaches a pointing device control method for mapping a pointing device to a plurality of displays (Figure 1), comprising: mapping the pointing device to a first one of the displays (Column 3 lines 16-19); detecting a position indicated by the pointing device (Column 3 lines 16-19); determining if the position indicated by the pointing device is a position that corresponds to another one of the displays (Column 3 lines 16-19); and remapping the pointing device to the other one of the displays (Column 3 lines 21-30).

Applicant respectfully traverses.

The standard for anticipation is set forth in M.P.E.P. § 2131 as follows:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claim 1:

Original Claim 1 recites:

1. A pointing device control method for mapping a pointing device to a plurality of displays, comprising:
 - mapping the pointing device to a first one of the displays;
 - detecting a position indicated by the pointing device;
 - determining if the position indicated by the pointing device is a position that corresponds to another one of the displays; and
 - remapping the pointing device to the other one of the displays.(Emphasis added).

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Haken does not disclose a pointing device control method that includes the step of "remapping the pointing device to the other one of the displays," as recited by original Claim 1. Rather, Haken discloses a system and method that merely moves a cursor controlled by a pointing device between display screens of multiple devices. In Haken, the pointing device is a mouse, which is a relative pointing device. Relative pointing devices are not mapped to a display. Instead, a relative pointing device simply moves the cursor by providing data indicative of direction and distance. There is no absolute correlation between the position of the mouse and the position of the cursor. For example, if you lift a mouse up off of the mouse pad and set it down in another location, the cursor does not move.

In Haken, no remapping of the display occurs when the cursor is moved between displays. Rather, movement of the cursor in Haken depends on its present location on the screen (i.e., its starting point) and the relative movement input from the mouse. In other words, there is no correlation (i.e., mapping) between a physical location of the pointing device and a corresponding location of the pointer on the display.

Haken illustrates that no remapping of the pointing device occurs in his system when the cursor transfers between devices at column 3, lines 45-55. In particular, Haken provides:

By way of example, in the Figures, moving the cursor to the top of the screen 310 will, seamlessly transfer the output of the mouse to the video camera's native interface and cause a highlighted entry to move to the bottom of a menu list on the camera LCD screen 210a. Further movement of the mouse in the same direction will then cause the highlighting to move up the menu list on the camera LCD screen. Similarly moving the cursor to the lower right edge of 300 of the CRT screen 12 will transfer the mouse input to the native interface of the PDA and enable the user to move the cursor on the PDA screen. (emphasis added)

Thus, the mouse input is simply redirected to the various devices. Further movement in the same direction is required to operate the interface provided by the camera LCD 210a.

For at least the above reasons, Applicant respectfully asserts that Haken does not disclose a step of "remapping the pointing device to the other one of the displays," as recited by Claim 1. Therefore, Haken does not anticipate Claim 1. Claims 2, 4, 5, 8-11, 14-17, 19-20, and 23-26 depend either directly or indirectly from Claim 1 and are, therefore, distinguished from the cited prior art for at least the reasons provided above with respect to Claim 1.

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Claim 31:

Original Claim 31 recites (in part) “a position field containing data representing a position for **triggering a process for remapping a pointing device to another display**” (emphasis added). For at least the reasons provided above with respect to Claim 1, Applicant respectfully asserts that Haken does not disclose such a process for remapping a pointing device, and cannot, therefore, disclose a data structure for triggering such a process. Therefore, Haken does not anticipate Claim 31. Claims 32 and 37 depend directly from Claim 31 and are therefore distinguished from the cited prior art for at least the same reasons as Claim 31.

Claim 38:

Original Claim 38 recites (in part) “a remapper responsive to output from said position monitor, and operative to **automatically remap the pointing device from one of the displays to another one of the displays**” (emphasis added). For the reasons provided above with respect to Claim 1, Haken does not disclose the remapper of Claim 38. Therefore, Haken does not anticipate Claim 38.

Claim 39:

Original Claim 38 recites (in part) “**means for automatically remapping the pointing device from one of the displays to another one of the displays**” (emphasis added). For the reasons provided above with respect to Claim 1, Haken does not disclose means for automatically remapping a pointing device between displays. Therefore, Haken does not anticipate Claim 39.

Claim 40:

Original Claim 40 recites (in part) the step of “**automatically remapping the pointing device to a second display**” (emphasis added). For the reasons provided above with respect to Claim 1, Haken does not disclose such a step. Therefore, Haken does not anticipate Claim 40. Claim 41 depends directly from Claim 40 and is, therefore, distinguished from the cited prior art for at least the same reasons as Claim 40.

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Claim 42:

As amended herein, Claim 42 recites (in part) "wherein said data contained in said second field is further indicative of a location for **triggering a process for remapping a pointing device** between said second display and said particular display" (emphasis added). For the reasons provided above with respect to Claim 1, Haken does not disclose such a data structure. Therefore, Haken does not anticipate Claim 42. Claims 43-45 depend either directly or indirectly from Claim 42 and are, therefore, distinguished from the cited prior art for at least the same reasons as Claim 42.

For the above reasons Applicant requests reconsideration and withdrawal of the rejections under 35 U.S.C. § 102.

Rejections Under 35 U.S.C. § 103

Claims 3, 6, 7, 18, 21, 22, and 33 are rejected under 35 U.S.C. § 103 as being unpatentable over Haken in view of USPN 6,842,795 (Keller). Claims 12, 13, 27, 28, and 34-36 are rejected under 35 U.S.C. § 103 as being unpatentable over Haken in view of USPN 5,990,893 (Numazaki).

Applicant respectfully traverses.

M.P.E.P. § 2142 sets forth the procedural framework for the examination process of determining obviousness:

The examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness. If, however, the examiner does produce a *prima facie* case, the burden of coming forward with evidence or arguments shifts to the applicant who may submit additional evidence of nonobviousness...

M.P.E.P. § 2143 sets forth the requirements of a *prima facie* case of obviousness:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art

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reference (or references when combined) must teach or suggest all the claim limitations.

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Thus, if any element of the *prima facie* case of obviousness is not met, the obviousness rejection is improper and should be withdrawn.

Claims 3, 6, 7, 12, 13, 18, 21, 22, and 27-28:

For the reasons provided above with respect to Claim 1, Haken does not teach or suggest the step of "remapping the pointing device to the other one of the displays," as recited by Claim 1. Similarly, neither Keller nor Numazaki teach or suggest such a step. Therefore, because the cited prior art does not teach or suggest all the elements of Claim 1, no *prima facie* case of obviousness can be established with respect to Claim 1. Claims 3, 6, 7, 12, 13, 18, 21, 22, and 27-28 depend either directly or indirectly from Claim 1 and are distinguished from the cited prior art for at least the reasons provided above with respect to Claim 1.

Claims 33-36:

For the reasons provided above with respect to Claim 31, Haken does not teach or suggest a data structure containing "a position field containing data representing a position for triggering a process for remapping a pointing device to another display," as recited by Claim 31. Similarly, neither Keller nor Numazaki teach or suggest such a data structure. Therefore, because the cited prior art does not teach or suggest all the elements of Claim 31, no *prima facie* case of obviousness can be established with respect to Claim 31. Claims 33-36 depend either directly or indirectly from Claim 31 and are distinguished from the cited prior art for at least the reasons provided above with respect to Claim 31.

For the above reasons Applicants request reconsideration and withdrawal of the rejections under 35 U.S.C. § 103.

Information Disclosure Statement

An information disclosure statement citing one non-patent reference is filed herewith.

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For the foregoing reasons, Applicant believes Claims 1-45 are in condition for allowance. Should the Examiner undertake any action other than allowance of Claims 1-45, or if the Examiner has any questions or suggestions for expediting the prosecution of this application, the Examiner is requested to contact Applicant's attorney at (269) 279-8820.

Respectfully submitted,

Date: 10/5/07



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CERTIFICATE OF FACSIMILE TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted via facsimile, on the date shown below, to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, at (571) 273-8300.

Date: 10/5/07


Larry E. Henneman, Jr.